



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,139	02/01/2001	Werner Ruppert	DE919990045US1	7733

7590 07/15/2004
Kevin P. Radigan, Esq.
HESLIN & ROTHENBERG, P.C.
5 Columbia Circle
Albany, NY 12203

EXAMINER

LIN, KELVIN Y

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 07/15/2004



Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,139

Applicant(s)

RUPPERT ET AL.

Examiner

Kelvin Lin

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

Drawings

1. The drawings are objected to the following informalities – 37 CFR 1.84(p)(4):

In figure 1, block 103 and 111 are duplicated, shown in block 102, and 110.

It is not clear whether block 103 and 111, the devices are shared by block 102 and 110, or two independent devices. This needs to be clarified.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The specification is objected to by the following informalities:
 - a). On page 2 [0018], the reference character “Fig 2” has been used to designate Fig. 2A and Fig. 2B.
 - b). Examiner suggests that the description of Fig. 2 has to be split into paragraphs for Fig 2A and Fig 2B respectively. And all the Fig.2 in the specification section need to be changed accordingly.

Claim Objections

3. Claim 1-15 objected to because of the following informalities:
 - a). Labels in claim section are not matched with the specification section, for example:
claims 9-10: attachment copy device (111) in claim section vs.

attachment copy agent (111) in the specification section -

One is a device the other is an agent.

claims 6-8, 15: intermediate receiver (102) in claim section vs.

receiving server (102) in the specification section -

Use the same block number with different label name.

b). Appropriate correction is required.

4. The above noted problems are not necessarily an exhaustive listing, but are meant to be exemplary of the types of errors present. It is incumbent upon an applicant to ensure that any amendment filed resolves all deficiencies and places the claims in compliance with 235 USC 112.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-15 are rejected under 35 USC 102(e) as being anticipated by Pollack (US Patent 6505236).
6. Regarding Claim 1, Pollack teaches a method for handling network-based E-mail Message attachment storage method in a communication system. In the intermediate receiver:
 - a. receiving an electronic mail item which contains a forwarding specification

- and attachment from a sender (Pollack, col. 2, l.59-60 , col. 4, l.25-26),
- b. detaching the attachment from the electronic mail item (Pollack, col. 2. l. 61-62, col.4. l. 26-27),
 - c. generating a reference corresponding to the specific address and the specific file name (Pollack, col. 4, l. 34-36)
 - d. replacing the attachment in the E-mail with the reference but excluding stored attachment; and transmitting in accordance with the forward specification. (Pollack, Fig. 1, Fig. 2, col.2, l. 59- 67, col. 4, l. 39-44).
7. Regarding claims 2-3, Pollack further discloses the detaching attachment from the electronic mail item; storing the attachment using a storage method at a specific address under a specific file name known in the art (e.g. hexadecimal addressing, filename and path specification, etc.) (Pollack, col.2, l. 20-22, col. 3, l.18). And Pollack further discloses a series of servers and recipient will access attachment retriever via a web browser or any other proprietary program (Pollack, col. 5, l. 56-60).
8. Regarding claim 4, Pollack further discloses the attachment references are incorporated into an array of network servers, which means attachment is replaced with multiple references to multiple versions of the attachment (Pollack, col.5, l. 15-16).
9. Regarding claim 5, Pollack further discloses the network based email

attachment storage method can distribute a stored attachment to a number of people depends on the policy (Pollack, col. 2, l. 30-33, col. 6, l. 13-14).

10. Regarding claim 6, Pollack further discloses the network-based mail attachment storage system includes :
 - a. attachment retriever that resides on a network server or a series of servers and recipient that means the system comprises one or more intermediate receivers, each serving at least one recipient, (Pollack, col. 5, l. 57-58),
 - b. the intermediate receiver comprising an attachment handling device adapted for detaching any attachment, storing the attachment, replacing each attachment with a reference to the stored attachment (Pollack, col. 5, l. 17-26) ,
 - c. forwarding the email message with the reference from the intermediate receiver to the recipient specified in the Email message (Pollack, col. 4, l. 43-46, col. 5, l.51-67).
11. Regarding claim 7, Pollack further discloses the storage device for storing said stripped attachment at a specific address under a specific file name at the intermediate receivers and connectable to the attachment handling device (Pollack, col. 5, l. 17-27).
12. Regarding claim 8, Pollack further discloses the first attachment data base is located at the intermediate receiver (Pollack, Fig. 1, col. 5, l.

18-19).

13. Regarding claim 9, Pollack further discloses the storage system comprising at least one of the recipient an attachment copy device for for transferring the stored attachment from the first attachment data base to the recipient (Pollack, col. 5, l.57-59).
14. Regarding claim 10, Pollack further discloses the second attachment storage device connected to the attachment copy device (Pollack, Fig. 4), which is incorporated with personal computer, single board computer, and an array of network servers, which equipped with hard disk working as a second attachment database, and connecting to the attachment copy device (Pollack, Fig. 4, col. 7, l. 36-50).
15. Regarding claim 11, Pollack further discloses the intermediate receiver is a server resides on a network(or web) server of a series of servers and recipient will access the server (Pollack, col. 5, l. 56-59).
16. Regarding claim 12, Pollack further discloses the second attachment storage device is incorporated with personal computer, single board computer, an array of network servers, which located at one of the recipient's client (Pollack, col. 5, l.47-50).
17. Regarding claim 13, Pollack further discloses the attachment storage system can distribute stored attachment to recipient, and Pollack also discloses the system is incorporated with recipient's client (Pollack, col. 5, l. 44-50).

Art Unit: 2142

18. Regarding claim 14, Pollack further discloses how to load and perform the computer program into the processor and memory to perform the Email attachment storage system. (Pollack, col. 7, l. 32-35, col. 9, l.52-67).
19. Regarding claim 15, Pollack further discloses the computer system consists memory and processor for executing the Email attachment method; which including:
 - a. detaching, replacing, and forwarding the email message and handle of attachment or stored attachment. (Pollack, col. 3, l. 31-42, col. 7, l.36-43).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 703-605-1726. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2142

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KYL
6/9/04


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER